

REMARKS

Reexamination and reconsideration of the rejections are requested. The amendments above are submitted to clarify the claimed invention and overcome the §§ 112 and 102 rejections. Claims 1, 12, 32, 34, 35 and 37 are amended upon entry of the amendment. No new matter has been added.

The § 112 Rejection

Claim 11 has been cancelled as duplicative of Claim 12. The rejection is traversed inasmuch as both Claims 11 and 12 complied with the provisions of 35 U.S.C. §112, however, in view of the unnecessary objectionable duplication, Claim 11 has been cancelled without prejudice.

The § 102 Rejection

Claims 1, 12, 34, 35 and 37 have all been similarly amended to utilize "consisting" language to clearly state that the claimed component is an unmodified copolymer of ethylene and at least one alpha olefin thereby clearly excluding anhydride graft copolymers from the defined polymer. These claims have also been amended to specify LLDPE as a possible polymer component and to insert a density limitation and the basis for these amendments may be seen in the Specification on Page 14, lines 18-27. Claims 1, 12 and 34 have been amended to further specify the polymer having a melting point between 55 to 75°C by selection from a specified group. Basis for this amendment may be found in the Specification at Page 11, lines 26-27 and Page 12, lines 19-25. Claim 32 has been amended to utilize "consisting essentially of" language to limit the composition of the heat seal layer to the indicated polymers. It is noted that the film of the Idlas reference claims use of propylene copolymers in the heat seal layer. This amendment overcomes the §102 rejection of Claim 32 and claims dependent thereon.

The amendments are believed to obviate the Examiner's §112 and §102(e) rejections, and these rejections should therefore be withdrawn.

A supplemental Information Disclosure Statement is submitted herewith to provide art cited in foreign counterpart proceedings.

Reexamination and reconsideration of the application and claims are requested. It is believed that the claims are in condition for allowance, which is earnestly requested.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 502023.

Respectfully submitted,



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Version with Markings to Show Changes Made:

In The Claims:

1. (Twice Amended) A polymer blend of at least three polymers comprising:
at least 10% by weight, based upon the weight of the blend, of a first polymer
having a melting point between 55 to 75°C comprising a copolymer selected from the group of
[comprising] a copolymer of ethylene and at least one α -olefin having a melt index of up to 1.0
dg/min according to ASTM D-1238 at 190°C, and a copolymer of ethylene and at least one C₆ to
C₁₀ α -olefin;

at least 10% by weight, based upon the weight of the blend, of a second polymer having a
melting point between 85 to 110°C comprising a copolymer of ethylene and at least one α -olefin;
and

at least 10% by weight, based upon the weight of the blend, of a third polymer having a
melting point between 115 to 130°C [comprising] consisting of a thermoplastic polymer selected
from the group LDPE, HDPE, LLDPE, propylene copolymers, and a copolymer having a density
of 0.900 to 0.915 g/cm³ consisting [essentially] of ethylene and at least one α -olefin.

12. (Twice Amended) A flexible film having at least one layer comprising a blend of at
least three polymers comprising:

at least 10% by weight, based upon the weight of the blend, of a first polymer
having a melting point between 55 to 75°C comprising a copolymer selected from the group of
[comprising] a copolymer of ethylene and at least one α -olefin having a melt index of up to 1.0
dg/min according to ASTM D-1238 and 190°C, and a copolymer of ethylene and at least one C₆
to C₁₀ α -olefin;

at least 10% by weight, based upon the weight of the blend, of a second polymer having a
melting point between 85 to 110°C comprising a copolymer of ethylene and at least one α -olefin;
and

at least 10% by weight, based upon the weight of the blend, of a third polymer having a melting point between 115 to 130°C [comprising] consisting of a polymer selected from the group LDPE, HDPE, LLDPE, propylene copolymers, and a copolymer having a density of 0.900 to 0.915 g/cm³ consisting [essentially] of ethylene and at least one α -olefin.

32. (Twice Amended) A biaxially stretched, heat shrinkable film comprising at least three layers, wherein said first layer is a heat sealable surface layer and [comprises] consists essentially of a blend of at least four polymers comprising:

at least 10% by weight, based upon the weight of the blend, of a first polymer having a melting point between 55 to 75°C comprising a copolymer of ethylene and at least one α -olefin;

at least 10% by weight, based upon the weight of the blend, of a second polymer having a melting point between 85 to 110°C comprising a copolymer of ethylene and at least one α -olefin; and

at least 10% by weight, based upon the weight of the blend, of a third polymer having a melting point between 115 to 130°C comprising a polymer selected from the group LDPE, HDPE, LLDPE and, a copolymer having a density of 0.900 to 0.915 g/cm³ consisting of ethylene and at least one C₄-C₈ α -olefin; and a fourth polymer having a melting point between 80 to 105°C; a third layer comprising at least 50 percent by weight of copolymer of ethylene with at least one alpha-olefin or at least one vinyl ester or blends thereof, and a second layer between said first and third layers; said second layer comprising a vinylidene chloride copolymer, a nylon or a copolymer of ethylene with a vinyl alcohol.

34. (Twice Amended) A thermoplastic film of at least two layers comprising, a first layer comprising a first polymer (A) having a melting point between 115 to 130°C selected from the group LDPE, HDPE, LLDPE, propylene copolymers and a copolymer having a density of 0.900 to 0.915 g/cm³ consisting [essentially] of ethylene and at least one C₄-C₈ α -olefin; and a second polymer (B) having a melting point between 80 to 105°C, and a second layer in direct contact with said first layer without any interposed thermoplastic film layer, said second layer comprising a third polymer (C) having a melting point between 55 to 75°C comprising a copolymer selected

from the group of a copolymer of ethylene and at least one α -olefin having a melt index of up to 1.0 dg/min according to ASTM D-1238 at 190°C, and a copolymer of ethylene and at least one C₆ to C₁₀ α -olefin.

35. (Twice Amended) A biaxially stretched, heat shrinkable film comprising at least five layers wherein said first layer comprises a blend of at least three polymers comprising:

a first polymer having a melting point between 55 to 75°C, comprising a copolymer of ethylene and at least one α -olefin;

a second polymer having a melting point between 85 to 110°C, comprising a copolymer of ethylene and at least one α -olefin;

a third polymer having a melting point between 115 to 130°C, [comprising] consisting of a thermoplastic polymer selected from the group LDPE, HDPE, LLDPE, propylene copolymers and a copolymer having a density of 0.900 to 0.915 g/cm³ consisting [essentially] of ethylene and at least one C₄-C₈ α -olefin; and optionally a fourth polymer having a melting point between 80 to 105°C; a second layer comprising an ethylene copolymer; a fourth layer comprising an ethylene copolymer; a third layer between said second and fourth layers, said third layer comprising a vinylidene chloride copolymer, a nylon or a copolymer of ethylene with a vinyl alcohol; and a fifth layer comprising at least 50 percent by weight of copolymer of ethylene with at least one α -olefin or at least one vinyl ester or blends thereof.

37. (Twice Amended) A process for making a biaxially stretched, heat shrinkable film comprising:

extruding a melt plastified primary tube comprising a first polymer having a melting point between 55 to 75°C, comprising a copolymer of ethylene and at least one α -olefin; a second polymer having a melting point between 85 to 110°C, comprising a copolymer of ethylene and at least one α -olefin; a third polymer having a melting point between 115 to 130°C, [comprising] consisting of a thermoplastic polymer selected from the group LDPE, HDPE, LLDPE, propylene

copolymers and a copolymer having a density of 0.900 to 0.915 g/cm³ consisting [essentially] of ethylene and at least one C₄-C₈ α -olefin; and optionally a fourth polymer having a melting point between 80 to 105°C;

cooling said primary tube;

reheating said cooled tube to a draw point temperature between about 65 to 88°C;

biaxially stretching said tube to a circumference of at least 2½ times the circumference of said primary tube, and cooling said biaxially stretched tube to form a biaxially stretched, heat shrinkable film.

Please cancel Claim 11 without prejudice.